REMARKS

The Official Action mailed December 3, 2002 has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to August 4, 2003. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants notes with appreciation the consideration of the Information Disclosure Statements filed on April 7, 1999, March 14, 2000, August 24, 2000, October 19, 2000, December 12, 2000, April 26, 2001, September 5, 2001, December 10, 2001, February 11, 2002, and September 17, 2002.

Claims 4, 19, 14, 20 and 22-53 were pending in the present application prior to the above amendment. Independent claims 22-24 and 29-32 have been canceled, and independent claims 4, 9, 14, 20, 25-28, 33 and 34 have been amended to better recite the features of the present invention. Accordingly, claims 4, 19, 14, 20 and 25-28 and 33-53 are now pending in the present application and, for the reasons set forth in detail below, are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 4, 9, 14, 20 and 22-53 under the doctrine of obviousness-type double patenting over claims 1-24 of U.S. Patent No. 5,612,799 to Yamazaki et al. As is discussed in greater detail below, the independent claims have been amended to better recite the features of the present invention. In light of this amendment, the Applicants respectfully traverse this ground for rejection and reconsideration of the pending claims is respectfully requested. In any event, the Applicants respectfully request that the double patenting rejections be held in abeyance until an indication of allowable subject matter is made in the present application. At such time, the Applicants will respond to any remaining double patenting rejections.

The Official Action provisionally rejects claims 4, 9, 14, 20 and 22-52 under the doctrine of obviousness-type double patenting over the claims of copending Application No. 90/006,102. In response, the Applicants respectfully request that the double patenting rejections be held in abeyance until an indication of allowable subject matter is made in either the present application or the copending application. At such time, the Applicants will respond to any remaining double patenting rejections.

The Official Action rejects claims 4, 9, 14, 20 and 22-53 as obvious based on the combination of JP 01-156725 to Matsueda, U.S. Patent No. 5,231,297 to Nakayama et al., and U.S. Patent No. 5,055,899 to Wakai et al. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present invention, as amended.

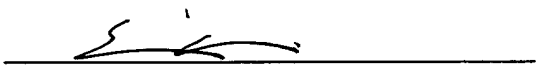
As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Matsueda, Nakayama and Wakai, either alone or in combination, do not teach or suggest a first signal line extending in a first direction over a substrate, the first signal line comprising aluminum and being contiguous to a gate electrode, and a second signal line formed over an interlayer insulating film and extending in a second direction orthogonal to the first direction, the second signal line comprising aluminum and electrically connected to either a source region or a drain region in combination with the other features of the present invention. Since Matsueda, Nakayama and Wakai do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration

and withdrawal of the rejection under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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